

ATTENDANCE:

BOARD	Elliot Abrams, Chair George Downsborough, Jr., Vice-Chair Jessica Buckland, Supervisor Daniel Treviño, Supervisor Betsy Whitman, Supervisor	
STAFF	Lawrence Pegher, Finance Director Betsy Dupuis, Solicitor Stephen Casson, Township Engineer Tyler Jolley, Chief of Police Doug Erickson, Township Manager Greg Garthe, Planner	
AUDIENCE	C-NET (3) Pamela Robb, Resident Katie Mischler, PSU Tim Harlow, Hawbaker Eng. Mary Lou Dubil, Resident Kelsey Thomasson, CDT Brian Henry, Resident Mel Mark, Resident Jim Payne, Resident Michael Mark, Resident	Scott Miller, Resident Anita Thies, Resident Kirsten Reilly, PSU Mark Seville, Sweetland Eng. Rick Maher, Resident Kathleen Domenig, Resident Dan Hawbaker, GOH, Inc. Mark Ballora, Resident Charima Young, PSU

1. **CALL TO ORDER**

The April 11, 2018 Board of Supervisors meeting was called to order by Chair Abrams at 7:00 PM.

Pledge of Allegiance

2. **APPROVAL OF MINUTES**

Mr. Downsborough moved to approve the March 28, 2018 Meeting Minutes and the March 26, 2018 Special Meeting Minutes. Seconded by Mr. Treviño, the motion passed 5-0

3. **PUBLIC COMMENTS**

Mr. Ballora, Ms. Thies, Mr. Miller, Mr. Maher and Mr. Mark voiced their concerns about the Patton Crossing project. The Board agreed to add this item to the April 25, 2018 Board of Supervisors meeting.

Ms. Reilly and Ms. Mischler informed the Board of the Movin' On Festival and how it will effect residents in Patton Township.

4. PUBLIC SAFETY

a. March 2018 Police Report

Chief Jolley gave a brief overview of the May Police Report. Chief Jolley stated that Officer Scott Stroud was promoted to Sergeant.

Ms. Buckland suggested having an Active Shooter Training. Chief Jolley stated that the Police Department just did a site assessment of the schools and that all the faculty has been trained, and they were discussing making it available for students.

b. Open Container Ordinance

In February the Board initially considered a proposed Ordinance to prohibit “open (alcoholic) containers” on public property. At that time the Board decided to review the proposed penalties prior to taking final action.

At the March 28th meeting, the Board reviewed a revision to the penalty clause and opted to include a single fine level of “not less than \$50.00 and not more than \$500.00” per conviction.

The current version (v 2.0) of the proposed Ordinance, with the fine levels noted above, is included with the agenda materials and has been advertised for potential adoption as this meeting.

The Board should accept comments from the audience and then consider action on Ordinance 2018-589, “Open Container of Liquor Control Ordinance.”

Mr. Treviño moved to approve Ordinance 2018-589, Open Container of Liquor Control. Seconded by Ms. Whitman, the motion passed 5-0.

5. PLANNING AND ZONING

a. Planning Commission Report

Ms. Domico stated that the Preliminary/Final Phase 3 Patton Towne Center was discussed at the Planning Commission Meeting.

b. Request to Rezone 1932 Waddle Road and 1943 Weaver Street to Office Buffer District

Mr. Garthe stated that the Township received a request to rezone the properties located at 1932 Waddle Road (Tax Parcel ID # 18-013-,078-,0000-) and 1943 Weaver Street (18-013-,069-,0000-). Currently, both of the properties are zoned Medium Density Residence (R3), and the request is to rezone them to Office Buffer District (OBD), which is consistent with the adjacent property to the north.

At their January 24, 2018 meeting, the Board of Supervisors referred the request to the Planning Commission for study and a recommendation.

The Board received the Planning Commission’s recommendation for approval of the proposed rezoning at their March 14th meeting. At that time questions of public notice and effect of reducing the inventory of lands zoned for multi-family housing were raised.

A Meeting Notice has been mailed to approximately 550 residences in the vicinity and was included in the agenda materials.

5. **PLANNING AND ZONING (Continued)**

b. **Request to Rezone 1932 Waddle Road and 1943 Weaver Street to Office Buffer District**

In accordance with our Inter-Municipal Shared Zoning Agreement from 2005 with College Township, staff has provided a notification to the College Township Council of the request, which could result in a reduction to the municipal inventory of R3 land. As required by the Agreement, the Centre Regional Planning Commission (CRPC) will also be notified of the request. The letter also includes information regarding the number of multi-family units (~ 5200) that could still be built in Patton Township on undeveloped lands with appropriate zoning. It is expected that this potential change will be declared to be "[de minimis](#)" with respect to the Shared Zoning Agreement. The agreement is available upon request.

The agenda materials also included a location map of the property, the request letter from the applicant, related graphics showing the layout of the properties proposed for rezoning, and the letter to College Township Council.

The Board should consider scheduling a date for a Public Hearing on the issue. The next available date for a Public Hearing is May 23, 2018**.

Mr. Miller stated he is against Rezoning of 1932 Waddle Road and 1943 Weaver Street to Office Buffer District.

Ms. Whitman stated she is concerned about losing any more affordable housing in Patton Township but after speaking to a resident in the area, who was thankful for the removal of the structure, she is not as concerned.

Mr. Downsborough moved to schedule a Public Hearing for the request to Rezone 1932 Waddle Road and 1943 Weaver Street to Office Buffer District on or about May 23, 2018. Seconded by Ms. Whitman, the motion passed 5-0.

c. **Request for Amendment to the NR-2 (Natural Resource and Recycling) Zoning District**

Mr. Garth stated that the Borough of State College (Borough) operates a leaf/grass/organics composting operation on a site formerly referred to as the "the old Borough dump." This is the site of a closed, former landfill utilized by the Borough of State College more than 30 years ago. GOH Recycling Center, at 110 Hawbaker Industrial Drive, also operates on this site accepting and recycling construction materials. The site is bounded by I-99, the Colonnade, the Otto's property along N. Atherton Street and the businesses on the east side of Hawbaker Industrial Drive.

The property was originally zoned NR-1 (Natural Resource) which permitted very little development of the property. The Borough's leaf composting operation, which pre-dated zoning, was then a legal, non-conforming use on the parcel.

The NR-2 Zone was created in 2006 specifically for this property to permit the planned recycling center and make the leaf composting a conforming use. Under Pennsylvania law, municipalities have a greater ability to manage "conforming uses" as opposed to "legal, non-conforming uses."

5. **PLANNING AND ZONING (Continued)**

c. **Request for Amendment to the NR-2 (Natural Resource and Recycling) Zoning District (Continued)**

A request has been submitted to the Township stating that the Borough “is proposing to expand the composting capacity ...” at this site and they ask the Board of Supervisors to consider a reduction in the required open space component of the site from sixty percent (60%) to forty percent (40%). The request further states “This would increase the availability of land for the continued recycling and composting of yard waste.”

The request letter, a location map and the NR-2 regulations are included with the agenda materials.

The Manager recommends that the request be referred to the Planning Commission for review and recommendation.

Mr. Downs brough moved to refer the request for Amendment to the NR-2 (Natural Resource and Recycling) Zoning District to the Planning Commission for review and recommendation. Seconded by Ms. Buckland, the motion passed 5-0.

Mr. Downs brough asked why the Open Space component needs to change and stated he would like to tour this property before the recommendation comes back to the Board.

d. **Preliminary/Final Land Development Plan (LDP) - Phase 3 - Patton Towne Center**
From the April 2nd Planning Commission Agenda

This plan was submitted on March 2, 2018 and proposes construction of three new buildings on the Patton Towne Center site. The 16.53 acre site (also known as the “old Lowe’s site”) is located at the intersection of Colonnade Boulevard and Waddle Road in the Planned Commercial (C2) and I-99 Interchange Overlay zoning districts. Currently, the site contains a Cracker Barrel restaurant and a Sheetz convenience store. (Manager’s note: the original LDP for the site was approved in 2008)Phase 3 of the development involves minimal demolition activities, including the removal of curbing, a portion of the onsite landscaping, and a stop sign at the central entrance/exit at Colonnade Boulevard. A traffic signal is warranted with this phase of development, and will be installed at the intersection to replace the stop sign.

Major construction in Phase 3 includes a 68,200 ft² medical office on the existing foundation of the formerly proposed hotel, a 9,027 ft² tavern/restaurant behind the Cracker Barrel, and a 15,000 ft² retail building to the west of Sheetz. The plan proposes the addition of 435 parking spaces (10 ADA), for an overall site total of 670 spaces (18 ADA).

In addition, bicycle racks will be provided at each new building, resulting in 16 new bicycle parking spaces on the site. A 2,790 ft² concrete pad for outdoor restaurant seating will be constructed adjacent to the retail building, which will bring the overall site impervious cover to 70%; the C2

5. PLANNING AND ZONING (Continued)

d. Preliminary/Final Land Development Plan (LDP) - Phase 3 - Patton Towne Center (Continued)

district maximum allowance. The Township provided a comment letter to the developer on March 16, 2018.

The following items were included with the agenda:

1. A location map of the property
2. An 11"x17" copy of the subdivision plan
3. A marked up copy of staff's comment letter

End of Planning Commission Agenda materials

The Planning Commission recommends conditional approval of the Patton Towne Center Phase 3 Land Development plan contingent upon completion of minor/technical items as noted in the Staff's comment letter and adding a note to the plan indicating the installation of a roadway connection and sidewalk connection to the Kohl's property line when an agreement is in place with the Kohl's property owners.

Following comments from the audience the Board should consider discussion and action on the plan.

Mr. Downs brough moved to conditionally approve the Preliminary/Final Land Development Plan Phase 3 Patton Towne Center. Seconded by Ms. Buckland, the motion passed 5-0.

Mr. Miller stated that he is concerned about there not being a sidewalk on the right hand side of the Colonnade Blvd. Mr. Erickson stated that Staff will go out to confirm the sidewalk is there, take pictures, and get back to the Board.

6. ADMINISTRATION

a. Township Website Upgrade and Communications Strategy

The 2018 Budget includes funding for migrating and/or upgrading the Township's website to a new platform and/or vendor. The migration project will be led by the Director of Finance and Administration (DFA).

It has also become apparent of late that they are opportunities to improve the Township's overall communications activities with residents, tax payers, businesses, and other interested parties.

These two items are related and may influence the types of software that may be considered for the website and/or communications.

Staff would like to start the process with a discussion with the Board members on expectations for the future website, external communications – both digital and otherwise, and other aspects of e-governance.

6. ADMINISTRATION (Continued)

a. Township Website Upgrade and Communications Strategy (Continued)

While this is not intended to be a true 'brain storming' session, almost all ideas are welcome at this time. As is usually the case, the final product will be constrained by funding limits and staffing availability.

Prior to the meeting, the Manager will provide an outline of the Township's current communication channels.

Based on this discussion, and other potential inputs from staff and/or the public, the Manager and DFA will return to the Board with a preliminary plan to address the identified needs.

The Manager has included an outline of Township's current communication methods. Please see Update attachments.

Ms. Buckland stated that she looked at other municipalities sites but feels the website needs to be more user friendly and would like to see a Communications Director who is dedicated to this. She stated it is important to have a clean look and to make it easier for residents to do things.

Mr. Abrams stated that he feels this is a great idea to make an investment to help with the communication.

Ms. Whitman stated that she is impressed with Harris Township's website.

Ms. Buckland stated that she is also impressed by Harris Township's website. She stated she would like specific things on the website. Mr. Erickson asked the Board members about posting specific items (address, home phone). If the Board agrees to have the information on the website that he will get it on the website.

Mr. Downsborough stated he does not want his personal email address on the website.

Mr. Erickson stated that he will look into the cost of hiring a part-time Communications Director and will get prices on websites.

Mr. Pegher asked if members have ideas on what needs to be on websites, please submit them to Mr. Erickson and Mr. Pegher.

6. ADMINISTRATION (Continued)

b. PSATS Proposed Resolutions

Mr. Erickson stated that a copy of the proposed resolutions up for consideration at the annual conference of the Pennsylvania State Association of Township Supervisors was enclosed. The Board should review the resolutions and provide guidance to the voting delegate on any resolutions of particular interest to Patton Township.

The Board agreed we should vote against Resolution 18-04.

The Board agreed we should vote against Resolution 18-14.

c. Noise Issues

Mr. Erickson stated that In February the Board reviewed a proposed Noise Ordinance, modeled on regulations in place in the Borough of State College. Several issues were raised regarding the proposed ordinance and other noise-related matters. The proposed ordinance was tabled by the Board and the Chair directed the Manager to bring the issue back for discussion in April.

The objective this evening is to lay out the various issues, see if there are other items that should also be addressed, and briefly explore how these questions might best be addressed.

Issues identified in February include:

Construction Activities

- Need for a written policy?
- Change to permitted hours?
- Can there be more restrictive time limits on certain types of equipment?
- Are there limits or restrictions in other jurisdictions on using certain types of equipment 'near' dwellings or structures?
- For phased developments, how best to provide notice to future residents?

Enforceability of subjective noise standards

- What is record/ experience in State College Borough?
- What is record/ experience in other jurisdictions?
- Case law and legal precedents?

Objective standards for noise enforcement – pros and cons

Activities exempted from potential noise regulations?

- By type of activity; i.e. Agricultural, livestock and timbering
- By zoning district, i.e. A-1, others?
- Other considerations – firearms, fireworks

What are regulations in other Centre Region Townships?

Mr. Erickson stated he would like to have a policy or resolution on Construction Hours. This would be a policy without penalties.

Mr. Miller stated that there needs to be something more concrete for the police to enforce and write citations.

6. ADMINISTRATION (Continued)

d. Pension Audits

The Department of the Auditor General has completed compliance audit reports of the Patton Township Non-Uniformed and Police Pension Plans for the period January 1, 2015 to December 31, 2017. The non-uniformed and police pension plan audit reports are included with the agenda materials and contain the following findings:

Non-Uniformed Pension Plan (see page 2 of enclosed report):

In 2017 the Township under-reported the total payroll amount which led to an under-payment of \$234 in state aid to the pension. The Township will be reimbursed for this under-payment in 2018.

Police Pension Plan (see page 3 of enclosed report):

In 2016 the Township failed to deposit \$3,546 of state pension aid to the pension fund within 30 days of receipt. The funds were deposited to the pension fund on January 31, 2018, with interest.

The Director of Finance and Administration provided a memo describing the compliance plan developed and implemented to address the findings. The report was included with the agenda materials. At Mr. Downsborough's request the new policy will also require review by the Manager of items noted in the audits.

e. Options for Rescheduling May 23rd Board Meeting

Supervisor Buckland has a conflict with the May 23rd meeting. The Board Chair would like the remaining members to consider re-scheduling this meeting.

Optional dates/times: Tuesday, May 22 nd ,	7 pm (would need to
displace another group)	
Wednesday, May 23 rd ,	4 pm <u>or earlier</u>
Thursday, May 24 th ,	7 pm
Wednesday, May 30 th ,	7 pm
Thursday, May 31 st ,	7 pm

The next scheduled meeting of the Board is Wednesday, June 20th.

The Board agreed to have it on Wednesday, May 23rd at 4:00 pm.

f. Voucher Report

A copy of the March 2018 Voucher Report is enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

Mr. Treviño moved to approve the March 2018 Voucher Report. Seconded by Mr. Downsborough, the motion passed 5-0.

6. **ADMINISTRATION (Continued)**

g. **Bicycle Awareness Month & Bike to Work Day**

CentreBike Vice-President Mr. Andrew Artz attended the March Recreation Advisory Committee (RAC) meeting and presented information about CentreBike, the Centre Region Bike Coalition, Bicycle Awareness Month, and Bike-to-Work Day.

The RAC recommends that the Patton Township Board of Supervisors proclaim May 2018 as Bicycle Awareness Month, and Friday May 18, 2018 as Bike-to-Work Day. The RAC memo and draft proclamation were included with the agenda materials. The Board should consider action on the RAC recommendation.

The Board agreed to proclaim May 2018 as Bicycle Awareness Month, and Friday May 18, 2018 as Bike-to-Work Day.

7. **MANAGER'S REPORT**

a. **Spring 2018 Township Newsletter**

Mr. Erickson stated a copy of the 2018 Spring Township Newsletter was enclosed and should be going out in the mail sometime this week.

b. **Energy Efficiency Action Items report**

Mr. Erickson stated that the Energy Efficiency Action Items report was enclosed with the agenda.

c. **Development Update**

Mr. Erickson stated that the Development Update was included with agenda materials.

d. **Housing Starts Graph**

Mr. Erickson stated that the Housing Starts Graph was included with agenda materials.

e. **Upcoming Events**

[1] [Watershed Cleanup Day, April 21](#)

[2] PA State Association of Township Supervisors (PSATS) Conference April 22-25

a. CCATO Breakfast, April 23

[3] PA Municipal League District Meeting, April 24, Altoona

[4] [Household Hazardous Waste Collection, April 27-28](#)

[5] Municipalities Planning Code Refresher, May 1, 6 pm, Ramada Inn

[6] [Bulk Waste Collection, May 7-11](#)

[7] [Primary Elections, May 15](#)

[8] Bike to Work Day, May 18

[9] Children's Fair, May 19 10 am to 3 pm

7. **MANAGER'S REPORT (Continued)**

f. **Bernel Road/Fox Hill Road MTF Application**

Mr. Erickson stated that the Bernel Road/Fox Hill Road MTF Application was submitted and a copy was included with the Agenda Update.

Mr. Downsborough was impressed by the letters of support that were received.

g. **Sustainability Conference June 5, 2018 State College PML (\$50)**

Mr. Erickson stated that there is a Sustainability Conference on June 5, 2018 in State College put on by PML. Ms. Whitman, Ms. Buckland and Mr. Downsborough indicated they would like to attend.

8. **COMMITTEE REPORTS**

a. **Transportation and Land Use & CRPR**

Ms. Whitman stated that this was a joint meeting to address setting the draft project priorities for the Comprehensive Plan Improvement Program. She stated that the Regional Development Capacity (Redcap) report was discussed and that the Committee received the 2017 CRPC Annual Report.

b. **Parks & Rec Regional Comprehensive Plan**

Mr. Erickson stated that the RFP for Parks & Rec Regional Comprehensive Plan was submitted to DCNR for review.

c. **Public Services**

Ms. Whitman stated that the Committee received a Progress Report on Climate Action and Adaption Planning in the Centre Region with a hope to be done in 18 months. She stated that the results for the Refuse and Recycling Customer Satisfaction Survey came back mostly satisfactory. She stated that there is a grant from DEP to purchase organic recycling carts that will be available to anyone who wants to participate in the program.

d. **Public Safety**

Mr. Treviño stated that the Committee received a Memorandum of Understanding (MOU) for the dispatch of Hazmat Services.

9. **OTHER BUSINESS**

There was no other business.

10. **ADJOURNMENT**

Mr. Downsborough moved to adjourn the April 11, 2018 Board of Supervisors meeting at 9:49PM. Seconded by Ms. Buckland, the Chair adjourned the meeting.

Douglas J. Erickson, Township Secretary